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JAN 10 2006

CLERK U.S. DISTRICT COURT
ANCHORAGE ALASKA

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

ELISHA SHEPHERD,)	
)	
Plaintiff,)	
)	
v.)	
)	
MILTON J. JAKEWAY, and)	
UNITED STATES OF AMERICA,)	
)	Case No.A01-333 Civil (JKS)
Defendants.)	
)	

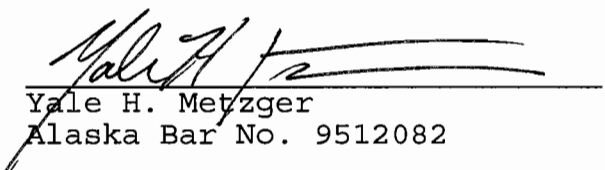
Plaintiff's Proposed Jury Instructions

COMES NOW the Plaintiff, through her attorneys, and submits
the following proposed jury instructions:

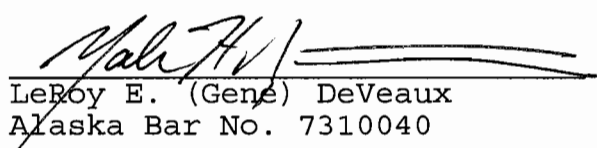
1. Deprivation of Constitutional Right.
See attached.
2. 9th Cir. Model Civil Jury Instruction No. 5.1
Burden of Proof - Preponderance of the Evidence
3. 9th Cir. Model Civil Jury Instruction No. 5.2
Burden of Proof - Clear and Convincing Evidence
4. 9th Cir. Model Civil Jury Instruction No. 7.1
Damages - Proof
5. 9th Cir. Model Civil Jury Instruction No. 7.2
Measure of Types of Damages
6. 9th Cir. Model Civil Jury Instruction No. 7.4
Damages Arising in the Future - Discount to
Present Cash Value

7. 9th Cir. Model Civil Jury Instruction No. 7.5
Punitive Damages
8. 9th Cir. Model Civil Jury Instruction No. 7.6
Nominal Damages
9. Alaska Civil Pattern Jury Instruction No. 20.11
Aggravation of Pre-Existing Condition or Disability.

DATED this 10TH day of January 2006 at Anchorage, Alaska.
The Law Offices of Yale H. Metzger
Attorney for the Plaintiff

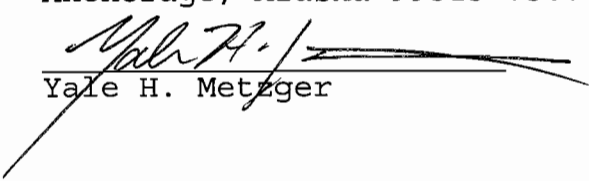

Yale H. Metzger
Alaska Bar No. 9512082

DeVeaux & Associates
Attorney for the Plaintiff


LeRoy E. (Gene) DeVeaux
Alaska Bar No. 7310040

A true and correct copy of the
foregoing was hand delivered
mailed to the following this
10TH day of January 2006:

Richard L. Pomeroy, Esq.
Assistant U.S. Attorney
Federal Building & U.S. Courthouse
222 Wet 7th Avenue, No. 9, Room 253
Anchorage, Alaska 99513-7567


Yale H. Metzger

Plaintiff's Jury Instruction No. 1

The Court has determined that the Defendant Milton Jakeway violated the right of the Plaintiff Elisha Shepherd under the 4th Amendment of the Constitution of the United States to be free from unreasonable searches. The law permits you to award, in addition to any actual out-of-pocket expenses or pecuniary losses, compensation for emotional distress shown by the evidence to have resulted from the wrong.

If you find that no substantial damages resulted from the wrong, you may award nominal damages.

If you find, in accordance with the instructions I have given you, that the Defendant's conduct is such as to warrant an award of punitive damages, such an award is proper.

Modified from G. Douthwaite, Jury Instructions on Damages in Tort Actions, (2 ed. Michie, 1988 & 1992 Supp.), Instruction No. 14-1, Deprivation of Constitutional Rights - General Instruction.